

**BEFORE THE  
PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**DOCKET NO. 2020-229-E**

IN THE MATTER OF:  Dominion Energy South Carolina, Incorporated's Establishment of a Solar Choice Metering Tariff Pursuant to S.C. Code Ann. Section 58-40-20	) ) ) ) ) ) )	<b>VOTE SOLAR'S REPLY TO                  DOMINION ENERGY SOUTH                  CAROLINA, INC.'S RESPONSE IN                  OPPOSITION TO MOTION TO                  REQUIRE ADDITIONAL NOTICE                  AND ESTABLISH A PUBLIC                  PARTICIPATION HEARING</b>
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Pursuant to Rules 103-829 of the rules and regulations of the South Carolina Public Service Commission ("Commission"), Vote Solar submits this reply to *Dominion Energy South Carolina, Inc.'s Response in Opposition to Motion to Require Additional Notice and Establish a Public Participation Hearing* ("Response"). Vote Solar limits its reply to several of Dominion Energy South Carolina, Inc.'s ("Dominion") mischaracterizations of Vote Solar's underlying Motion and requested relief.

First, Dominion misstates the heart of Vote Solar's requested relief. Vote Solar does not ask, as Dominion's asserts, to require "'additional notice' in the form of an email or direct mail *that the Current [net energy metering] NEM Programs will expire.*" Response at 4 [*emphasis added*]. The motion speaks for itself. The issue is the adequacy of notice of Dominion's pending solar choice metering proposal, not the well-noticed fact that current NEM rights will expire. Customer-generators should receive notice of the now-filed proposal in a form sufficient to understand how it impacts their rights.

Accordingly, existing-customer generators deserve to know what their options will be on January 1, 2026. The current Dominion filings fail to provide this information. Providing this information is a matter of basic fairness, whether or not an additional

notice is legally required to protect customers' property interests. Dominion's direct testimony fails to describe any alternate option or to disclose the default treatment of existing customer-generators after existing NEM rights expire. Dominion's Response also does nothing to address Vote Solar's key questions: If an existing customer-generator declines to take service on the solar choice metering tariff in 2026, are they expected to disconnect their solar PV facility or face disconnection? What option allows them to utilize their current interconnection agreement to operate in parallel with the grid and to serve their own load with their solar PV facility? Dominion should provide answers to these questions to its customers now and include such clarifications in the record at an appropriate time.

Second, Dominion's insinuation that Vote Solar's motivation for filing the Motion is to "distract and delay" is almost poetically flawed. Rather than an attempt to distract, the Motion seeks to sharpen focus on a proposal that will affect thousands of existing customer-generators in currently ascertainable and objectively adverse ways. And rather than delay, Vote Solar's Motion (filed one week after Dominion's direct testimony) sought expedited consideration and made no request to alter existing procedural dates.<sup>1</sup> Vote Solar's motivation is transparently to advocate for the rights of customer-generators and to give them a fair opportunity to be heard on Dominion's recently unveiled proposal.

Lastly, Dominion attempts to coopt and weaponize Vote Solar's concern for the impact of Dominion's proposal on low-income customer-generator lessees into a frontal

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<sup>1</sup> To this end, Vote Solar notes that the Commission has previously scheduled public hearings and provided opportunity for public comments at designated times on dates of evidentiary hearings in other proceedings (e.g., 2020-125-E).

attack on the rooftop solar leasing industry. To be clear, Vote Solar believes solar leasing is one of the only mechanisms currently available in South Carolina that is empowering a meaningful number of low-to-moderate income customers to install solar. The only issue relevant to Vote Solar's motion is that these customer-generators receive adequate notice of what charges they may be facing in the future from a Dominion proposal.<sup>2</sup> But Vote Solar, nonetheless, disputes Dominion's argument that its concern for the impacts on low-income customer-generators is "outside the scope of Act 62" and of this solar choice metering proceeding. Response at 8. These impacts are certainly within the scope of section 58-40-20(F)(3)(c) to consider "whether additional mitigation measures are warranted to transition existing customer-generators" to a successor solar choice tariff.

Vote Solar requests that the Commission grant the relief requested in its Motion, to the extent such relief can be granted consistent with the existing procedural schedule.

Respectfully submitted this 5<sup>th</sup> day of January, 2021.

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<sup>2</sup> Solar lease consumer protection regulations developed by the Office of Regulatory Staff and the Department of Consumer Affairs are subject to the legislative review process for new regulations and are not designated for Commission review.

## CERTIFICATE OF SERVICE

I hereby certify that I have served the persons listed on the official service list for Docket No. 2020-229-E, listed below, a copy of the **VOTE SOLAR'S REPLY TO DOMINION ENERGY SOUTH CAROLINA, INC.'S RESPONSE IN OPPOSITION TO MOTION TO REQUIRE ADDITIONAL NOTICE AND ESTABLISH A PUBLIC PARTICIPATION HEARING** via U.S. Mail or electronic mail on this day, January 5, 2021.

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